

THE UNIVERSITY OF MICHIGAN  
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Reassignment Agreement between the University of Michigan and Oscar Ybarra

Action Requested: Approval of Reassignment Agreement

Preamble:

A statutory conflict of interest situation was identified by the Office of Technology Transfer while reviewing the technology transfer agreement that then triggered a review by the UMOR Conflict of Interest Review Committee. A plan for management of the possible risks associated with the conflict of interest was then developed and approved by this Committee and agreed to by the parties involved in this plan.

This proposed reassignment agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Oscar Ybarra is an employee of the University of Michigan (“University”) and a direct party to an agreement with the University. The law permits such an Agreement provided it is disclosed to the Board of Regents (“Regents”) of the University of Michigan and approved in advance by a 2/3 vote.

Background:

Dr. Oscar Ybarra, a Professor in the Department of Psychology, has asked to have rights to the following technology granted to him personally:

UM OTT File No. 2018-360, entitled: “Employability Skills Assessment”  
(Inventor: Oscar Ybarra)

The Office of Technology Transfer negotiated the terms of the proposed Agreement in accordance with University policy and its accepted principles related to reassignment procedures.

Parties to the Agreement:

The Regents of the University of Michigan and Dr. Oscar Ybarra

Agreement Terms Include:

Agreement terms include granting Dr. Oscar Ybarra any right, title, and interest the University may have in the technology referenced above.

The University may continue to further develop it and use it internally. Absent the appropriate approvals, no use of University services or facilities, nor any assignment of University employees, is obligated or contemplated under the Agreement. Standard disclaimers of warranties and indemnification apply, and the Agreement

may be amended by consent of the parties, such as adding related technology. University procedures for approval of these changes will be followed and additional conflict of interest review will be done as appropriate.

Pecuniary Interest:

The pecuniary interests of Dr. Oscar Ybarra arise from receipt of a reassignment agreement to the technology.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a reassignment agreement for patents related to UM OTT File No. 2018-360 for all fields of use. Dr. Oscar Ybarra will obtain use and commercialization rights to the above listed University technology.

Recommendations:

This matter has been reviewed and approved by the UMOR Conflict of Interest Review Committee. In light of this disclosure and our finding that the Agreement was negotiated in conformance with standard University practices, I recommend that the Board of Regents approve the Agreement between the University and Dr. Oscar Ybarra.

Respectfully submitted,



S. Jack Hu  
Vice President for Research

May 2018